

## Message Text

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ORIGIN NEA-06

INFO OCT-01 SS-14 ADP-00 L-02 NSC-04 NSCE-00 CIAE-00

INR-10 NSAE-00 RSC-01 JUSE-00 PRS-01 USIA-04 /043 R

DRAFTED BY NEA/ TUR: RSDILLON: CF

6/18/73 EXT 20714

APPROVED BY NEA/ TUR: RSDILLON

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R 182027 Z JUN 73

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA

INFO AMCONSUL ISTANBUL

AMCONSUL IZMIR

AMCONSUL ADANA

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LIMDIS

E. O. 11652: N/ A

TAGS: PINS, TU

SUBJ: YANIKIAN TRIAL

REF: STATE 115559

1. NEA/ TUR DIRECTOR DILLON TELEPHONED SANTA BARBARA DA MINIER JUNE 18 TO ASK ABOUT PROGRESS OF TRIAL. MINIER SAID TRIAL CONCEIVABLY COULD END THIS WEEK. YANIKIAN IS NOW ON STAND. DEFENSE, AS PREVIOUSLY REPORTED, WAS NOT CLAIMING INSANITY. IN CALIFORNIA, HOWEVER, THERE IS A CONCEPT RELATED TO INSANITY IN WHICH PROVOCATION OR STRONG EMOTION CAN BE USED AS DEFENSE AGAINST MURDER IN FIRST DEGREE. THIS IS PRESENT TACTIC OF DEFENSE WHICH IF SUCCESSFUL WOULD RESULT IN CONVICTION OF YANIKIAN ON LESSER CHARGE OF MANSLAUGHTER. MINIER STILL HOPES TO OBTAIN FIRST DEGREE MURDER CONVICTION.

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2. MINIER COMMENTED THAT ALTHOUGH DEFENSE TRYING TO SHOW YANIKIAN IS MAN WHO HAD BROODED FOR YEARS OVER ALLEGED INJUSTICES TO ARMENIANS AND HAD FINALLY, IN EFFECT, SNAPPED UNDER THE STRAIN, THE FACTS SHOW THAT YANIKIAN CAME VERY LATE TO HIS CONCERN FOR THE ARMENIAN CAUSE. ALL EVIDENCE IS THAT YANIKIAN HAD NEVER BEEN INVOLVED IN NOR TAKEN SERIOUSLY ARMENIAN AFFAIRS UNTIL A FEW MONTHS AGO. THE FACTS, IN MINIER' S OPINION, AND HE IS TRYING TO SHOW THIS TO THE JURY, ARE THAT YANIKIAN COMMITTED

THE MURDERS NOT TO FOCUS ATTENTION ON THE ARMENIAN PROBLEM BUT ON HIMSELF.

3. MINIER ALSO REPORTED THAT THERE ARE NOT RPT NOT LARGE NUMBER OF ARMENIANS ATTENDING THE TRIAL AND THAT HE HAS SEEN NOTHING TO SUBSTANTIATE THE CHARGE ( REFTEL) THAT ARMENIANS ARE HARASSING THOSE ATTENDING. HE RECALLED THAT HE HAD FORGOTTEN TO MENTION IN OUR PREVIOUS CONVERSATION THAT ON THE FIRST OR SECOND DAY OF THE TRIAL THERE HAD BEEN AN ALTERCATION INVOLVING BARKOS LOWMAN, A RELATIVE OF BAYDAR, ( SEE STATE 104797), AND AN ARMENIAN. HE HAD SEEN NOTHING SINCE THAT TIME.

4. MINIER ALSO MENTIONED THAT HE HAS HAD SEVERAL CONVERSATIONS WITH TURK CONSUL GENERAL BENSAN, WHO HE BELIEVES NOW CONVINCED ON THE BASIS OF THOROUGH DISCUSSION OF EVIDENCE THAT YANIKIAN IS DEMENTED MAN WHO ACTED ALONE AND THAT THERE NO CONSPIRACY INVOLVED. UNFORTUNATELY, MOST TURK OFFICIALS DO NOT SHARE THIS VIEW. ROGERS

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\*\*\* Current Handling Restrictions \*\*\* LIMDIS

\*\*\* Current Classification \*\*\* LIMITED OFFICIAL USE

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